



**King County
Department of Public Defense
Request to be on Assigned Counsel Panel**

King County Department of Public Defense (DPD) maintains an assigned counsel panel of lawyers interested in providing legal defense services to indigent defendants who cannot be represented by any one of the existing divisions within DPD due to a legal conflict of interest. Cases are assigned on an individual basis. The application process for the panel is outlined below.

BACKGROUND

King County Department of Public Defense is responsible to provide for the legal defense of indigent persons entitled to appointed legal services in King County courts, as assigned by DPD or as appointed from the bench, in compliance with all of the applicable laws and administrative regulations of the State of Washington, King County Code (KCC), and Washington State Rules for Professional Conduct (RPC). These services are for persons:

- aged 18 and over, charged with felonies in King County;
- aged 18 and over, charged with misdemeanors in unincorporated King County;
- under the age of 18, in juvenile court matters;
- in juvenile dependency matters;
- in civil proceedings relating to the Involuntary Commitment Act, the Sexually Violent Predator Act, and Civil Contempt of Court.

The statutory authority for these responsibilities is found in King County Code 2.60.

SELECTION OF ATTORNEYS FOR VARIOUS PANELS

Attorneys interested in representing indigent clients of DPD as part of the Assigned Counsel Panel must complete and submit the following information:

- A completed Assigned Counsel application form;
- Proof of admission to practice in Washington state; and
- Current Insurance Certificate and Endorsement.

It is important to note that completing an Assigned Counsel application packet does not guarantee that an accepted applicant will be assigned clients. Applications will be reviewed upon submission to DPD, and applicants will be notified regarding approval. DPD reserves the right to limit the size of the panel. If approved, DPD will offer a contract for specific panel work.

DPD will evaluate applications that meet the administrative and contractual minimum requirements as set forth in this application and the policies of DPD. DPD will evaluate each applicant and review and any other information available. DPD may:

1. Request additional information from applicants to clarify information;
2. consult with judges, court administrative staff, clients and others who have knowledge of the applicant or the local caseloads and practices to aid in the review of the proposal's merits; and
3. request individuals with experience and expertise in the proposed case types to review the apparent **qualifications of the applicants and the strengths and weaknesses of the applicants.**

Assigned Counsel Applications should be emailed to:
DPD.AssignedCounsel@kingcounty.gov

**King County Department of Public Defense
Assigned Counsel Application Form**

I. ATTORNEY and/or FIRM PROFILE

A. General Information

1. Name: _____
2. Law Firm Name (if applicable): _____
3. Law Firm Administrative Manager: _____
4. Your email address and that of the firm manager: _____
5. Address: _____
6. Telephone: _____ Fax: _____
7. Federal Tax Identification #: _____
8. On a separate sheet of paper describe:
 - a) your office resources, including: private office area to meet and confer with clients who are out of custody; office staff, such as secretary, paralegal, receptionist, and investigator;
 - b) your ability to receive phone calls from clients, both in and out of custody, including collect calls; and
 - c) the electronic capability of your office, including: the ability to receive and send scanned documents; access to electronic legal research materials; capability to handle large electronic discovery cases.
9. Bar affiliations/memberships and date of admission: (including past admissions)

10. Attorney Registration # in WA State: _____
11. Qualifying Previous Employment:
 - a) Name of Employer:
Dates of Employment:
Position/Titles:
Supervisor: _____ Phone: _____
Address: _____
Nature of practice/position (including frequency of court appearances, if applicable): _____
 - b) Name of Employer:
Dates of Employment:
Position/Titles:
Supervisor: _____ Phone: _____
Address: _____
Nature of practice/position (including frequency of court appearances, if applicable): _____

(Include additional employers on a separate sheet, as necessary)

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12. List your publications and any trainings you have conducted, if any, on a separate sheet.
13. Use a separate sheet to describe the nature and extent of your participation in activities with a purpose of furthering access to justice, e.g., professional services rendered at no or reduced fee to persons of limited means or to public service or charitable groups or organizations; service in activities for improving the law, the legal system or the legal profession.

B. Other

1. Have you ever been disciplined by the bar of any state or by any court? Have you been removed from a case by order of the court for any reason other than conflict of interest or irreconcilable differences with a client?

☐ Yes ☐ No

If yes, please describe the incidents and corrective action taken details (attach a separate sheet if necessary).

2. Have you ever been the subject of a Bar complaint or the defendant in any civil or criminal law suit or had an investigation opened by the Bar Association regarding any violation of the RPCs?

☐ Yes ☐ No

If yes, please provide details (attach a separate sheet if necessary and attach a waiver of confidentiality for Bar Complaint records).

3. Have you ever been convicted of a crime (regardless of whether the plea or its equivalent was later withdrawn or the conviction later vacated or voided in some other way)?

☐ Yes ☐ No

If yes, give the particulars, including the outcome.

4. Are you now an officer or director of any business enterprise other than your law practice?

☐ Yes ☐ No

If yes, describe your role and the percentage of your time spent in this activity.

5. Do you have any prior involvement in a business or governmental enterprise which may affect your practice as an assigned counsel in any area administered by King County DPD, including conflicts of interest under the RPCs?

☐ Yes ☐ No

If Yes, please describe on a separate sheet.

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II. DESCRIPTION OF PRACTICE EXPERIENCE

1. What percentage of your current practice/position involves:
_____ % Civil Litigation
_____ % Criminal Litigation
_____ % Non-litigation
100%

2. Approximate the distribution of your last five years' appearances in the following courts and the number of cases you have tried as sole or chief counsel to verdict or judgment (rather than settled). Please indicate Jury or Bench:
_____ % Municipal Court _____ # Tried; Jury or bench
_____ % County District Court _____ # Tried; Jury or bench
_____ % State Superior Court _____ # Tried; Jury or bench
_____ % Federal District Court _____ # Tried; Jury or bench
_____ % Appellate Court _____ # Tried; Jury or bench
_____ % Administrative Tribunal _____ # Tried; Jury or bench
100%

3. Describe the nature of your current law practice/position, including typical types of clients and areas of specialization and your years of experience in public defense work and years of experience in each type of defense work listed above, as assigned counsel or retained counsel (attach a separate sheet).

4. On a separate sheet of paper, describe the policies and/or procedures you will use to ensure that expert witnesses are employed when necessary and that consistent and systematic efforts are made to secure the needed expert locally at a reasonable cost.

5. Are you death penalty qualified? ☐ Yes ☐ No

III. MINIMUM EXPERIENCE PANELS: In order to receive assignment of indigent cases from DPD, you must be in compliance with minimum panel attorney qualifications. Please check those on which you wish to serve.

- ☐ District Court Misdemeanors (Specify any district courts where you DO NOT wish to take appointments): _____
- ☐ Civil Contempt

IV. ADDITIONAL EXPERIENCE PANELS: Additional experience is required to handle specific types of cases. Please indicate which panel(s) you wish to be on and provide the requested experience information on a separate sheet of paper.

- ☐ Class A Adult Felony—1) must have served two years as a prosecutor or as a public defender or in private criminal practice; and 2) handled a primary portion of the trial in five (5) felony cases that have been submitted to a jury.

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- ☐ Class B/C Adult Felony—1) must have served one year as a prosecutor or as a public defender or in private criminal practice; and 2) handled a significant portion of the trial in two (2) criminal cases that have been submitted to a jury.
- ☐ Class A Juvenile Felony—1) must have served two years as a prosecutor or as a public defender or in private criminal practice; and 2) handled a significant portion of the trial in five (5) felony cases that have been submitted to a judge or jury, of which at least two (2) must be juvenile felonies.
- ☐ Class B Juvenile Felony—1) must have served one year as a prosecutor or as a public defender or in private criminal practice; and 2) been counsel for at least two (2) juvenile felonies through fact-finding.
- ☐ Class C Juvenile Felony—1) must have served one year as a prosecutor or as a public defender or in private criminal practice; and 2) been counsel for at least five (5) juvenile misdemeanors through fact-finding.
- ☐ Juvenile Court Misdemeanors—must have served as counsel for five (5) juvenile misdemeanors through fact-finding.
- ☐ Dependency Cases—Counsel in at least one (1) contested dependency case that went to fact-finding (trial). If you have been counsel in a termination case, please include this.
- ☐ Civil Commitment—Experience as prosecutor or defender including civil commitment or counsel in five (5) Washington commitment cases that went to hearing under the 1973 statute.
- ☐ Aggravated Homicide—Experience on defense team in a death penalty case; please describe your specific role.
- ☐ Felony Fraud—Trial counsel in one multi-count fraud case that went to trial or counsel in at least two (2) multiple count fraud cases **AND** trial counsel in three (3) adult felony cases submitted to jury.
- ☐ Becca—Counsel in at least one At-Risk Youth, Child in Need of Services, or Truancy case.

V. QUALIFYING EXPERIENCE:

A. List five recent cases reaching final disposition which qualify as predicate cases for each of the panels. Use additional copies of this page if necessary for different panels.

1) Panel: _____
 Court: _____ Date: _____ Case #: _____
 Client Name: _____ Client Phone Number: _____
 Charge: _____ Disposition: _____
 Co-counsel: _____ Phone number: _____ Email: _____
 Opposing Counsel: _____ Phone number: _____ Email: _____
 Judge: _____ Phone number: _____ Email: _____
 Trial: ☐ Yes ☐ No ☐ Bench ☐ Jury

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2) Panel: _____
 Court: _____ Date: _____ Case #: _____
 Client Name: _____ Client Phone Number: _____
 Charge: _____ Disposition: _____
 Co-counsel: _____ Phone number: _____ Email: _____
 Opposing Counsel: _____ Phone number: _____ Email: _____
 Judge: _____ Phone number: _____ Email: _____
 Trial: ☐ Yes ☐ No ☐ Bench ☐ Jury

3) Panel: _____
 Court: _____ Date: _____ Case #: _____
 Client Name: _____ Client Phone Number: _____
 Charge: _____ Disposition: _____
 Co-counsel: _____ Phone number: _____ Email: _____
 Opposing Counsel: _____ Phone number: _____ Email: _____
 Judge: _____ Phone number: _____ Email: _____
 Trial: ☐ Yes ☐ No ☐ Bench ☐ Jury

4) Panel: _____
 Court: _____ Date: _____ Case #: _____
 Client Name: _____ Client Phone Number: _____
 Charge: _____ Disposition: _____
 Co-counsel: _____ Phone number: _____ Email: _____
 Opposing Counsel: _____ Phone number: _____ Email: _____
 Judge: _____ Phone number: _____ Email: _____
 Trial: ☐ Yes ☐ No ☐ Bench ☐ Jury

5) Panel: _____
 Court: _____ Date: _____ Case #: _____
 Client Name: _____ Client Phone Number: _____
 Charge: _____ Disposition: _____
 Co-counsel: _____ Phone number: _____ Email: _____
 Opposing Counsel: _____ Phone number: _____ Email: _____
 Judge: _____ Phone number: _____ Email: _____
 Trial: ☐ Yes ☐ No ☐ Bench ☐ Jury

B. Please provide three additional references who are familiar with your trial work within the last three years (defenders, prosecutors, judges, other attorneys). **If you are seeking work on a specific panel(s), please include a reference who is familiar with your trial work on cases included within that panel workload.**

	<u>NAME</u>	<u>TITLE</u>	<u>PHONE</u>	<u>EMAIL ADDRESS</u>
1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____

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VI. ADDITIONAL CONDITIONS FOR PANEL ATTORNEYS

- 1) To remain eligible for assignments, attorneys must take at least seven (7) hours of the annual continuing legal education (CLE) requirement in criminal law or in family law if your practice area is dependency or civil contempt. Please list the CLE course, date and credit in the last twelve months.

- 2) Panel attorneys must maintain, at a minimum, (a) professional liability insurance coverage in the amount of \$1,000,000 for each claim and \$1,000,000 in the aggregate, with a maximum deductible of \$10,000; (b) Commercial General Liability in the amount of \$1,000,000 Per Occurrence and \$2,000,000 in the aggregate; and if an employer: (c) Statutory Workers Compensation and (d) Employers Liability/Stop Gap in the amount of \$1,000,000. King County shall be named as an additional insured on the General Liability policy. **Proof of such coverage will be a copy of the certificate of insurance and the additional insured endorsement and must be submitted with this credentialing application and any notification of renewal or change in coverage must be submitted to DPD within fifteen (15) days of renewal or change.**

- 3) In order to ensure that indigent clients are provided adequate representation, DPD or its designee will evaluate the performance of attorneys accepting cases. Panel attorneys agree that such evaluation may include the following: viewing the attorney's performance in court; soliciting and receiving comments from judges, clients, other counsel, and court personnel regarding the attorney's performance; and examining legal documents filed by the attorney.

- 4) Prior to appointment to the panel, the applicant will be required to execute a standard assigned counsel contract with DPD.

VII. CERTIFICATION AND SIGNATURE

By signing and returning the application form, the applicant acknowledges that the applicant accepts and intends to abide by the terms and conditions included within the application.

I understand that any false or misleading information contained herein or any failure to submit required information may result in the termination of contracting activities with DPD.

Signature: _____

Print name: _____

Title/Firm: _____

Date: _____